

MINUTES

**MONTANA SENATE
58th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN DALE MAHLUM**, on February 18, 2003 at 9 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Dale Mahlum, Chairman (R)
Sen. Mike Sprague, Vice Chairman (R)
Sen. Sherm Anderson (R)
Sen. Vicki Cocchiarella (D)
Sen. Kelly Gebhardt (R)
Sen. Ken (Kim) Hansen (D)
Sen. Sam Kitzenberg (R)
Sen. Glenn Roush (D)
Sen. Don Ryan (D)
Sen. Carolyn Squires (D)

Members Excused: Sen. Bob Keenan (R)
Sen. Fred Thomas (R)

Members Absent: None.

Staff Present: Sherrie Handel, Committee Secretary
Eddie McClure, Legislative Branch

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: SB 354, 2/7/2003; SB 349, 2/7/2003
Executive Action: SB 306; SB 275; SB 270; SB 254

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HEARING ON SB 354

Sponsor: SENATOR JOHN BOHLINGER, SD 7, BILLINGS

Proponents: Bob Thomas, Board of Housing; Gene Lehwer, Rocky Mountain Development Housing Corporation; Byron Roberts, Montana Building Industry Association

Opponents: J.D. Lynch, Montana State Building Trades; John Forkan, Montana State Association of Plumbers and Pipefitters; Mike Skinner, Montana Manufactured Homes and R.V. Association & Montana Building Codes Council; Stuart Doggett, Manufactured Housing and R.V. Association; Bob Pavlovich, IBEW Local 233; Jason Miller, United Brotherhood of Carpenters; Keith Allen, International Brotherhood of Electricians, Local 233

Informational Witnesses:

Ross Swanson, Department of Corrections; Jim Business Standards Division, Department of Labor and Industry; Bruce Brensel, Board of Housing

Opening Statement by Sponsor:

SENATOR JOHN BOHLINGER, SD 7, BILLINGS, said if he were asked what he values most in life, he would list his religious faith followed by his love for his wife and family and friends. Next, he would place his home, where so much of everything he holds dear is centered. He was sure if he were to ask anyone else the same question, the answer would be very similar. In spite of the high value that we all place on our homes, the Montana Department of Commerce estimates nearly 31K Montana families live in sub-standard housing. In 1994, the Governor's Task Force estimated that over 25K Montanans lack affordable housing. Unfortunately, there has not been recent studies made, so he could only guess at what those numbers might have gone to. Now, he said, you might ask, "What is affordable housing?" The federal government defines affordable housing as housing costing no more than 30 percent of one's gross income. That's true for whether you own a home or rent a home and that figure would include your cost for utilities and taxes. A house costing more than 30 percent of a family's gross income is considered to be a cost burden and, therefore, unaffordable. He pointed out the importance that the average sale price last year for a home in Yellowstone County, where **SEN. BOHLINGER** lives, was \$121K and requires an income in excess of \$31,000 in order to serve its debt. The study he referred to also said that about 43 percent of the households in

Billings cannot afford to purchase a home. Families paying high percentages of their income for housing are forced to forego the necessities of life, such as food and clothing and health care in order to make their rent or their mortgage payment. Finding a solution to Montana's housing crises is critical for all Montana families. During the 1999 session of this legislature, he brought forward SB 277, a housing trust fund bill that would have provided \$2M a year to a \$1 fee increase in ten activities in the Clerk and Records Office. Unfortunately, that bill did not make it through the process. This need for affordable housing continues to grow. **SEN. BOHLINGER** referred to a pledge signed by many legislators at that time saying they would not support legislation that increases fees or taxes. Thus, he thought it important to look for other solutions to Montana's housing shortage problem. In 2000, he attended a legislative conference in Colorado during which time he learned that the state of Michigan and their legislature created a partnership between Habitat for Humanity and their Department of Corrections and Board of Housing. Through this partnership, great steps were made toward addressing Michigan's critical shortage of affordable housing. In addition, it provided some job training for inmates. In the 2001 session of Montana's Legislature, **SEN. BOHLINGER** brought forward a bill that would have created such a partnership between the Department of Corrections and the prison industry and the Department of Commerce's Board of Housing. The Board of Housing would sell bonds to finance the start-up cost of the program. The Department of Corrections would begin a job-skills training program that would allow inmates to acquire basic skills of carpentry, plumbing, and electrical work. The homes manufactured on the prison campus would then be trucked to sites around the state made available by cities and towns from their tax deed properties. The homes would be sold to qualifying low income Montana families and would be financed by the Board of Housing. Unfortunately, that idea did not make it through the process. The Board of Housing, under the leadership of **Bob Thomas**, picked up on his idea and worked closely with the Department of Corrections and the Governor's office to put flesh on that framework. Under the proposal they have developed, they plan to construct between 30 and 40 homes a year that would provide job training under the supervision of licensed journeymen carpenters, plumbers and electricians that would allow some 30 inmates to acquire some employable skills. The Board of Housing would provide permanent financing for these new homeowners. They would also provide a start-up financing as well as operating financing. The homes, under the criteria established by the Board of Housing, would be made available only to qualified to low income Montanans. The Department of Corrections, in their initial studies, found that these homes could be manufactured for about \$27K, which did not include the start-up costs or an

operating loan to provide an inventory lumber. When these additional costs were included, it was estimated that the cost of each home would be about \$32K or about \$35 a square foot plus the cost of the lot and the foundation. **SEN. BOHLINGER** thought that legislative authorization was needed to build these homes on the prison campus and it's thought it would be needed to insure that the Board of Housing can provide for the financing. It's thought that perhaps legislative authorization would be needed to enter into an arrangement with cities and towns around the state that would make these tax deed properties available. Under the details of SB 354, Section 1 declares that it's the state policy to foster and encourage reasonably sized, affordable, energy-efficient, low-maintenance homes that allow individuals to live independently and with a sense of dignity that perhaps their lives now lack. Section 2 provides guidelines that clearly state that the existing Board of Housing Loan Program will have a financing program available to the purchasers of these homes. He noted that the Board of Housing has available some very attractive terms for home buyers. Section 3 establishes some restrictions on the sale of the homes. Only low-income Montanans would be eligible to purchase them. Section 4 would establish an enterprise fund with the Department of Corrections with the business of making expenditures for the business industries factory-built home program. It also would provide a mechanism to receive the proceeds of the sale of these homes so that these start-off costs would be paid off. Section 5 would set guidelines for how the purchaser of these homes may retain a profit on the sale of the homes. Section 6 would establish a seven-member advisory board made up of representatives of the Board of Housing, the prison industries program, a rep from the home building industry, one from the manufactured housing industry, a licensed plumber, an electrician and a member of the public who could not be part of that list of categories. Section 7 would provide for the enforcement of a building construction standard, and Section 8 would provide the wages and benefits that would be paid to the prisoners who participate in this program. **SEN. BOHLINGER** believed prisoners should be paid a minimum wage, and the money that they earn would be set aside for making court-ordered restitution to the victims of their crimes. He looked upon the Montana Housing Partnership as a win-win-win that would put low-income Montanans in good, affordable homes.

Proponents' Testimony:

Bob Thomas, Board of Housing, rose in support of SB 354. He gave a history of SB 257 from the last legislative session and discussed the success South Dakota has had with the same program. He pointed to the fiscal note, which showed that the program had been carefully budgeted and could support itself.

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Gene Lehwer, Rocky Mountain Development Council, stated his organization is involved in a variety of affordable housing activities including development of multi-family houses and apartments. They participate in the first-time home buyers program and work with the Board of Housing and the Department of Commerce on a home program to put low-income Montanans into home ownership through mortgage buy downs. He was present at the hearing to support the bill and asked for a DO PASS recommendation from the committee.

Byron Roberts, Montana Building Industry Association, recognized that home ownership is a significant factor in all of our lives. As an industry, they have worked hard statewide through Habitat for Humanity, high school-built housing programs and the Montana Home Ownership Network. He stated his organization saw the potential for competition with the private sector housing providers. They saw a potential problem regarding compliance with building codes and standards, electrical and plumbing issues, so the use of licensed plumbers and electricians is essential. During the drafting of the bill, they had an opportunity for some input to assure that homes constructed comply with Montana building codes and standards and that construction materials be provided by Montana suppliers. He felt controls had been built into this legislation and said he looked forward to working with the Board of Housing and others in providing home ownership opportunities to Montana families. He said they do not and cannot build \$35K homes and asked for the committee's support of SB 354.

Opponents' Testimony:

J.D. Lynch, Montana State Building Trades, stood in opposition to the bill for several reasons. He felt that, if times were better in our state and everyone was working, everyone might think this a bright idea, but he suggested to the committee that the out-of-work carpenters, plumbers and electricians in his area ought not to have to commit a crime and go to prison to get work. It seemed to him that there are enough people not working that this ought not to be the track to get a job. He did not feel this bill's time had come, if ever it would.

John Forkan, Montana State Association of Plumbers and Pipefitters, raised concern about Section 2 of the bill where it talked about on-the-job training under the supervision of a journeyman. Current law in Montana does not allow for unlicensed individuals to perform plumbing work on any type of building whether it is residential or commercial. While he understood the

need for affordable housing in Montana, he does not believe that either circumvention or non-compliance with existing licensing laws would be in the best interest for the safety and welfare of those who would be purchasing the homes.

Mike Skinner, Montana Manufactured Homes and RV Association and Montana Building Codes Council, offered a background of what he does as a manufactured home dealer. He said they are seeing a void in the manufactured house market due to the fact that lower-income people have been hit hard economically. He thought this program would cost the state a lot of money. **Mr. Skinner** raised many questions on how the details of how this program could work.

{Tape: 2; Side: A}

Stuart Doggett, Manufactured Housing and RV Association, pointed out that the last manufacturer of homes in Montana went out of business in 1986. If a home building program were to be established at the prison, we may be prohibiting the possibility of bringing in a state manufacturer that could provide private sector jobs. Their industry is down about 15 to 20 percent since 1998, so he felt it's a very poor time to start such a program. **Mr. Doggett** went over several sections of the bill that raised concerns.

Bob Pavlovich, IBEW Local 233, informed the committee that, while the houses to be built in this program would cost between \$27K and \$35K, the cost of the land is not being considered nor is the foundation that would need to be built as well as the cost of moving the house from Deer Lodge. He discussed Habitat for Humanity and the work they do in Butte. He thought the bill should be laid to rest.

Jason Miller, United Brotherhood of Carpenters, reminded the committee that with budget cuts in training programs in the private sector for law-abiding citizens, why would we want to facilitate the training of those who break the law.

Keith Allen, International Brotherhood of Electrical Workers, Local 233, told the committee he is also a state-licensed master electrician. He stood in opposition of the bill on the grounds of taking good-paying jobs from law-abiding citizens and putting them in the hands of convicted felons. He urged the committee to oppose the bill.

Informational Witness Testimony:

Ross Swanson, Department of Corrections, advised the committee that his department was asked to prepare the fiscal note. He offered to answer any questions from the committee.

Jim Brown, Business Standards Division, Department of Labor and Industry, said his Building Code Bureau would be involved with this program and also would answer any questions.

Bruce Brensel, Board of Housing, was also present to answer questions and distributed a chart, *Montana Board of Housing Single Family Program Income Limits*, **EXHIBIT (bus36a01)**.

Questions from Committee Members and Responses:

SEN. CAROLYN SQUIRES asked **Mr. Swanson** if he had any concerns about the weapons that could go in and out of the prison in this type of program. **Mr. Swanson** explained the procedures used as well as types of equipment already used in other prison programs. She also expressed concern about paying prisoners in this program minimum wage while others make approximately \$.50 per hour.

SEN. MIKE SPRAGUE asked **Mr. Doggett** to walk the committee through the definitions of mobile, modular and manufactured. Mobile, under state law definition would be those built prior to 1976. Homes built after 1976 were built under the HUD Code and they prefer to call those manufactured homes. Modular is not clearly defined. He knew that they are actually homes built under the Uniform Building Code.

SEN. DON RYAN wanted to know if any prisoners currently use any type of nail gun and commented on how lethal they could be. **Mr. Swanson** did not have any using nail guns; however, prisoners involved in this program would be determined by the Department of Corrections according to the prisoner's record while in prison.

SEN. SAM KITZENBERG asked **Mr. Swanson** to review what jobs are currently available at the prisons and how this program fits in. **Mr. Swanson** stated they have a ranch and dairy operation, laundry operation which does laundry for the state hospital, an upholstery shop, grocery shop, print and sign shop as well as the food and cannery program. They have a vocational education program which tie into motor vehicle maintenance. They also offer computer technology.

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SEN. VICKI COCCHIARELLA questioned **Mr. Swanson** as to if the program was already started at the prison. He explained they began investigating in December of 2001. A group went to South Dakota to look at their program. They wanted to have their facts and figures in line before this legislative session began. The senator also wanted to know if they had purchased materials and equipment to drive the program. **Mr. Swanson** replied they bought some materials in anticipation of upcoming legislation, but put the project on hold and didn't do any construction work. **SEN. COCCHIARELLA** then asked **Mr. Swanson** about their outside-the-fence programs and requirements for guards. She wanted to know if anyone had ever escaped one of those programs, which he answered they have had a number of escapes if you go back ten years. The senator wanted to know where he got the authority and who directed the money and efforts that have been spent, taxpayer dollars that have been spent to date without any authorization through legislation to start this program before a bill was passed. **Mr. Swanson** said they worked through the whole process and had various discussions with the Governor's office, the Board of Housing and the Department of Corrections Director. However, it is on hold at this time. **SEN. COCCHIARELLA** then questioned **Mr. Rensel** on what was just said about proceeding with the project. She asked him why this piece of legislation was in front of the committee if they already had the money and authorization to do it. **Mr. Rensel** stated they began the initial start up to see if it would work, plus they were working with the Governor's office. The Governor's office decided they didn't want to move forward further and began working with **SEN. BOHLINGER** to create this bill. **SEN. COCCHIARELLA** asked **SEN. BOHLINGER** why the bill was before the committee if these people had gone ahead and done all of this and started the program without the legislature's authorization. She also reminded the sponsor that he had an explicit conflict in his bill regarding the use of licensed plumbers and carpenters. **SEN. BOHLINGER** answered the first question of why the bill was necessary. If the Board of Housing is presently authorized to do what they do, they provide financing for Montanans who want to buy houses enabling legislation that lets the prison industry function is in place under enabling legislation, they could move forward with this idea. They've indicated that the employees intended to bring this idea to fruition. In fact, it was their hope to have a model home sitting on the capitol campus during this legislative session so we all could see what a prison-built home looks like. The Governor had endorsed the concept and, in fact, provided a name for it. It could be the Governor's House. **SEN. BOHLINGER** said he was pleased when he heard this project was moving forward, but for some reason unknown to him, the idea was just sort of put on hold. With regard to his conflicting language in the bill, **SEN. BOHLINGER** thought it was necessary to

build into this bill language that would provide some assurance to the people that are buying these homes that they are safe, that they are energy efficient, and that they meet building code standards. If there was a conflict in the way the bill was drafted, **SEN. COCCHIARELLA** has been a part of the process long enough to know that it could be corrected. He thought a solution could be found.

SEN. SHERM ANDERSON asked if the cost estimates were circumventing the use of a master plumber. **Mr. Brensal** believed that the fiscal note did not include a master or journeyman plumber or electrician.

{Tape: 3; Side: A}

SEN. DON RYAN questioned **Mr. Brensal** about the language on page 3 in Section 5 about the profit from ownership and the ten percent year and asked if that is standard for the Board of Housing. **Mr. Brensal** answered that most of the houses that the Board of Housing finances are purchased as a market reg unit so there is not a reduced sales price because of some benefit they are getting. They do get a reduced interest rate and they have to remain in the home. **SEN. RYAN** wanted to know if, under this program, would the homeowner be going to a bank to get the financing with the help of the Board of Housing. **Mr. Brensal** stated the money from the profit of the house would go into what's called the Affordable Housing and Revolving Loan Account. It would be used to do other loans in the state of Montana for more affordable housing. Even though someone took the loan, they are responsible for the payments. They have to stay in the home 10 years before they get the value of their home.

SEN. SPRAGUE asked **Mr. Doggett** to explain the zoning process. **Mr. Doggett** stated it depends on the locality. If you are from Billings, the language is not very good in their local zone law. It's prohibitive and almost exclusive in disallowing them to purchase homes. There is good language in Missoula and they are working on improving the language in Helena. It allows for a certain size of manufactured home located on a foundation needing another zoning performance standard, so it varies across the state.

CHAIRMAN DALE MAHLUM questioned **Mr. Swanson** on if the prison system has an in-house master plumber, carpenter or electrician. **Mr. Swanson** replied they do not.

Closing by Sponsor:

In his closing, **SEN. BOHLINGER** responded to some of the concerns raised by opponents of the bill. With regard to this not being a good time to start this program, **SEN. BOHLINGER** asked if not now, when?

HEARING ON SB 349

Sponsor: SENATOR SHERM ANDERSON, SD 28, DEER LODGE

Proponents: Greg VanHorssen, State Farm Insurance and speaking for Jon Metropoulos, National Association of Independent Insurers; Jacqueline Lenmark, American Insurance Association and speaking for Sue Weingartner, American Alliance of Insurance Companies; Roger McGlenn, Montana Independent Insurance Agents; Dwight Easton, Farmers Insurance Group; Don Allen, Montana Association of Insurance and Financial Advisors

Opponents: Steve Gallus, HD 35, Butte; John Willoughby, licensed agent; Jill Gerdrum, State Auditor's Office; Matthew Leow, Montana Public Research Interest Group

Opening Statement by Sponsor:

SENATOR SHERM ANDERSON, SD 28, DEER LODGE, described SB 349 as a consumer protection bill dealing with the use of credit pertaining to personal insurance or the rating procedure of personal insurance. He briefly walked the committee through the bill to give them an overview of what was contained in it. He then turned the podium over to the proponents and opponents for some healthy discussion.

{Tape: 3; Side: A}

Proponents' Testimony:

Greg VanHorssen, State Farm Insurance and speaking for Jon Metropoulos, National Association of Independent Insurers, passed out a packet of information on the industry's use of credit information, **EXHIBIT (bus36a02)**.

Jacqueline Lenmark, American Insurance Association and speaking for Sue Weingartner, Alliance of American Insurers, discussed why the industry asked **SEN. ANDERSON** to bring the bill forward on their behalf. The companies she represents believe that the current law is adequate to regulate the use of credit information. The language that is in current law was reached in discussions with former Commissioner O'Keefe during 1991. It was the product discussed between the regulator and the industry. But the industry also concluded it is likely, because this is a hot topic right now, that some legislation may come out of this current legislature that would further restrict the use of credit, that the legislature may decide as a matter of public policy that they need to place further restrictions on how these insurance scores are used and what may go into them. She listed the three bills in front of the legislature at this time. HB 332, which is sponsored by **REP. STEVE GALLUS**, HB 184, which is sponsored by **REP. BILL WILSON**, and the bill being heard today. If the committee, as a matter of public policy, conclude that further legislation is necessary, she strongly urged them to give the DO PASS to **SEN. ANDERSON'S** bill. The bill is based on model language, the NCOIL model. The importance of that model language to the industry was that it wasn't simply drafted and then adopted. It was debated. It was discussed. It was tested by industry standards, by consumer groups, by regulators, to come up with something that could be implemented in all states. The companies the committee would hear testify today will also testify that even if this bill isn't perfect in your individual assessments, it is something they unanimously believe they can support, and more importantly, that they can implement. **Ms. Lenmark** went on to describe the other two bills. She said they don't want Montana to be left in a bath water where insurers are not permitted to use this modern and very predictive tool. She asked the committee to give the bill a DO PASS consideration.

Roger McGlenn, Independent Insurance Agents Association of Montana, rose in support of SB 349. He said independent agents are concerned with the methods credit-based insurance scores are used in some cases. Agents are very concerned with the operation of some of the credit agencies and bureaus that provide the information. It helps consumers every day with credit scoring questions and issues, very often with little or no information from the company or from the credit agencies or bureaus. He shared their frustration. Agents support regulatory oversight on the use of this information. They believe it and the use of credit scoring is necessary to the Department of Insurance to carry out their statutory charge of insuring the rates are not inadequate, excessive or unfairly discriminating. He urged a DO PASS for SB 349 or HB 184.

Dwight Eastman, Farmers Insurance Group, also rose in support of the bill, and said Farmers represents roughly 50,000 clients all over the state of Montana. If they were to see strict prohibition of front use of credit, they would see that approximately 7 percent or better would see a negative effect. They and their policy holders derive significant benefit from this discount. He asked the committee for a DO PASS.

Don Allen, Montana Association of Insurance and Financial Advisors, reiterated some of what had been said and urged the committee to pass SB 349.

Opponents' Testimony:

REP. STEVE GALLUS, HD 35, BUTTE, said the reason he opposed the bill is because it falls far short of what his constituents expect. What they do expect is that the legislature protect their rights. This bill would allow the insurance companies to continue to practice violating individual privacy. The bill the committee heard referenced may have seemed far fetched to a lot of people that he would propose an outright ban on the practice, but that is how strong he felt about the situation. That is how strong he feels about personal privacy, and that's why he proposed an outright ban. That's why he still feels, in his heart, that it was the best proposal of the three that were submitted to the legislature. He firmly stated that his personal medical information should be reserved between him and his doctor and perhaps God. He felt the same should be true with his banking information. It should be reserved between him and his banker. He allowed that, if he gave his permission to a banker to obtain credit information for a loan, it would be okay. That's fair. That's business. But not when the state mandates that he carry auto insurance.

{Tape: 3; Side: B}

REP. GALLUS closed by saying he knew **SEN. ANDERSON** was trying to do the right thing. He just felt the language in his bill didn't quite meet the expectations of his constituents.

John Willoughby, licensed agent, gave the committee a different perspective. He felt a person's credit history should have nothing to do with insurance premiums. It is financial discrimination at its finest and it affects the wealthiest as well as the poorest.

Jill Gerdrum, State Auditor's Office, presented written testimony, **EXHIBIT (bus36a03)** and **EXHIBIT (bus36a04)**.

Matthew Leow, Montana Public Research Interest Group, respectfully stood in opposition to SB 349. He felt this bill would do very little or even nothing to protect consumers while allowing the use of credit scoring to continue. He hoped the committee had been swayed to the negative impacts of credit scoring through previous testimony. The reason the bill would do nothing to protect consumers was it uses the word, "solely." It is very unlikely that there would ever be a case where the insurance company is solely using credit scoring to determine rates.

Questions from Committee Members and Responses:

SEN. VICKI COCCHIARELLA asked **Mr. VanHorssen** if any credit is extended to customers when they are asked to pay in advance. **Mr. VanHorssen** said what they are talking about on the use of credit information is not just bill paying and things of that sort, but things a bank would look at.

SEN. COCCHIARELLA let the committee know she had agreed to be the Senate sponsor of HB 184 should it pass. She claimed to know the issue very well because she and her family have been abused by credit rating, so she had a real bone to pick. She expressed her appreciation of what **SEN. ANDERSON** was trying to do, anything that prevents abuse. She referred to Page 3, line 15, number 6 and thought those words undid all the protection in the rest of the bill. To **SEN. COCCHIARELLA**, what that section said was you can use credit information 90 days from the date you purchase insurance and you can use it at renewal. She wanted to know from the sponsor if that was what those words said to him. **SEN. ANDERSON** told her she was correct. Current law allows you to use credit and so what this particular sub-section did was bring the scope of that in.

{Tape: 4; Side: A}

SEN. COCCHIARELLA explained in detail the situation that happened with her and her family when a mistake in a credit report hurt her with State Farm. She felt she shouldn't have to go through the process in his bill if her credit report is found to be incorrect and she has gone through the dispute resolution process.

{Tape: 4; Side: B}

Closing by Sponsor:

SEN. ANDERSON hoped everyone would come away from here understanding the principals that are involved to a greater

extent. As you can tell, he said, this is a hot topic. Consumers are upset and rightfully so. Oftentimes, it is a misunderstanding that causes consumers to get upset. He told of how he came to sponsor the bill and of the lengthy discussions he had with the insurance groups before he would sponsor it. Montana law today allows insurance companies to use credit reports. This piece of legislation was designed to restrict the use of that credit information and to try and protect the consumer. **SEN. ANDERSON** emphasized credit scoring is just one tool insurance companies use to determine risk. He also said that consumers who take risks with their credit also take risks in other areas of their life, such as driving. He recommended a DO PASS to the committee.

EXECUTIVE ACTION ON SB 306

Motion/Vote: **SEN. COCCHIARELLA** moved that SB 306 DO PASS AS AMENDED, **EXHIBIT**(bus36a05) (SB030601.aem). Motion carried 7-0.

EXECUTIVE ACTION ON SB 275

Motion: **SEN. COCCHIARELLA** moved SB 275 WITH SEGREGATING #4 AND #9 FROM THE AMENDMENT. Vote: Motion carried 8-0.

Motion: **SEN. ANDERSON** moved that SB 275 DO PASS AS AMENDED, **EXHIBIT**(bus36a06) (SB027501.aem). Vote: Motion carried 7-4 with COCCHIARELLA, KITZENBERG, HANSEN and SQUIRES voting no.

EXECUTIVE ACTION ON SB 270

Motion/Vote: **SEN. ROUSH** moved that SB 270 DO PASS AS AMENDED, **EXHIBIT**(bus36a07) (SB027001.aem). Motion carried 9-3 with COCCHIARELLA, GEBHARDT and SPRAGUE voting no.

EXECUTIVE ACTION ON SB 254

Motion/Vote: **SEN. COCCHIARELLA** moved that SB 254 DO PASS AS AMENDED, **EXHIBIT**(bus36a08) (SB025401.aem). Motion carried 8-0.

ADJOURNMENT

Adjournment: 12:23 A.M.

SEN. DALE MAHLUM, Chairman

SHERRIE HANDEL, Secretary

DM/SH

EXHIBIT (bus36aad)